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| <i>Examiner-Initiated Interview Summary</i> | Application No. | | Applicant(s) | |
| | 10/782,683 | | RUSSELL ET AL. | |
| | Examiner | | Art Unit | |
| | BERNARD KRASNIC | | 2624 | |

All Participants:

(1) Bernard Krasnic (Examiner).

(2) Mr. Derek Benke (Reg. No. 56,944).

Date of Interview: 12 February 2009

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: .

Part I.

Rejection(s) discussed:

Claims discussed:

Claim 9

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Bernard Krasnic/
Examiner, Art Unit 2624

Status of Application: _____

(3) _____.

(4) _____.

Time: 11:30am

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner initiated a call to the Applicant's attorney, Mr. Benke, in order to offer an Examiners Amendment to expedite prosecution. The Examiner suggested including a "tied to" apparatus limitation in the body of the method claim 9 in order to satisfy the 35 U.S.C. 101 issue [In re Bilski decision] where a method claim needs to be "tied to" an apparatus. Mr. Benke after contacting his Applicant emailed a proposal to the Examiner which is attached to this interview summary. The Examiner agreed to these amendments.